

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE NEW ENGLAND COMPOUNDING
PHARMACY, INC. PRODUCTS
LIABILITY LITIGATION

MDL No. 2419
Dkt. No. 1:13-md-2419 (RWZ)

THIS DOCUMENT RELATES TO:

All Actions

**THE PLAINTIFFS' STEERING COMMITTEE'S PROPOSED AGENDA
FOR THE NOVEMBER 2, 2016 STATUS CONFERENCE AND DISCOVERY HEARING**

The Plaintiffs' Steering Committee ("PSC") proposes the following agenda for the November 2, 2016, status conference (before Judge Boal and Judge Zobel at 10:00 a.m.). The remaining defendants and the plaintiffs' groups identified below have been given an opportunity to comment on this proposed agenda.

A. REPORT TO THE COURT

1. Status of payments from Tort Trust
Tort Trustee Lynne Riley
 - a. Status report (forthcoming)
2. Status of Specialty Surgery cases
24 cases; Gerard Stranch; Chris Tardio
 - a. Amended Order Setting Discovery Deadlines [Dkt 3128]
 - b. Bellwether picks and strikes [Dkts 3080, 3081, 3090, 3091]
 - c. Motion to Dismiss for Failure to State a Claim by Specialty Surgery Center [Dkts. No. 3086, 3087]
 - i. PSC's Opposition [Dkt. 3122]
 - ii. PSC's Cross Motion to Extend Time [Dkt. 3121]
 - iii. Specialty Surgery's Reply re Motion to Dismiss and Opposition re Motion to Extend [Dkt. 3137]
 - iv. PSC's Reply in Support of Motion to Extend (forthcoming)

3. Status of Box Hill cases
8 cases; Sharon Houston; Greg Kirby
 - a. Motion to Compel Non-Party Barbara Wagner to Comply with Subpoena [Dkt. 3123]
 - i. Box Hill's Response [Dkt. 3132]
 - ii. Hearing set for November 7, 2016 at 12:00 pm
4. Status of Ocean State cases
*2 cases: Timothy Wickstrom, Deborah Gresko-Blackburn; Sean Capplis*¹
 - a. Plaintiffs' Proposed Scheduling Order [Dkt. 3142]
5. Status of directly-filed cases:
 - a. Janet Jenner and Suggs cases
3 cases remaining: Kim Dougherty; Tony Abeln (APAC); Clare Carroll (MAPS); Cynthia Palin (Encino)
 - i. Plaintiffs' Status Report (forthcoming)
 - ii. Dismissal of *Jeffries v. Ameridose*, 1:14-cv-12789
 - iii. Dismissal of *Wynstock v. Ameridose*, 1:14-cv-12884
 - b. Premier cases
2 cases: Lauren Davis; Chris Wolk
 - c. Other directly-filed Andrews & Thorton cases
6 cases, Lauren Davis; various defense counsel
6. Status of St. Thomas settlement
Gerard Stranch; C.J. Gideon
 - a. Status Report [Dkt. 3113]²
 - b. Motion to Amend Qualified Protective Order [Dkt. 3134]

¹ All directly filed cases are listed in Notice by the PSC of Cases Filed Directly in the District of Massachusetts [Dkt. 3065].

² The numerous motions stayed pending the St. Thomas settlement are listed in previous agendas.

B. OTHER MATTERS

9. PSC's Motion for Distribution of Common Benefit Fees and Expenses [Dkt. 3105]
 - a. PSC's Revised Proposed Allocation [Dkt. 3129]
 - b. No oppositions filed (October 24, 2016 deadline)
10. Post Confirmation Officer's Notice Regarding Further Relief from Preservation [Dkt. 3136]
Post Confirmation Officer Paul Moore
11. Motion for Discovery by Glenn Chin [Dkt. 3144]

C. FUTURE STATUS CONFERENCES

1. December 8, 2016

Dated: November 1, 2016

Respectfully submitted,

/s/ Kristen A. Johnson

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Kristen A. Johnson, BBO # 667261

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Plaintiffs' Steering Committee*

CERTIFICATE OF SERVICE

I, Kristen A. Johnson, hereby certify that I caused a copy of the foregoing to be filed electronically via the Court's electronic filing system. Those attorneys who are registered with the Court's electronic filing system may access these filings through the Court's system, and notice of these filings will be sent to these parties by operation of the Court's electronic filing system.

Dated: November 1, 2016

/s/ Kristen A. Johnson

Kristen A. Johnson (BBO# 667261)